



CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

04-0-0657

BY COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO PURCHASE PROPERTY FROM THE TRUST FOR PUBLIC LAND LOCATED IN THE KIRKWOOD NEIGHBORHOOD IN THE CITY OF ATLANTA ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, WHEREAS THE TOTAL COST OF ACQUISITION TO THE CITY IS \$135,700.00, FOR THE PURPOSES SET FORTH IN THE CITY OF ATLANTA COMMUNITY GREENSPACE PROGRAM; AUTHORIZING THE PAYMENT OF ASSOCIATED COSTS TO BE CHARGED TO AND PAID FROM PARK IMPACT FEE FUND ACCOUNT CENTER 1C28-771001-Y63D10099991 KIRKWOOD/ EDGEWOOD PARKS AND OPEN SPACE (DEKALB COUNTY); AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 03-O-0666, adopted by the Council on May 5, 2003, and approved by the Mayor on May 13, 2003, allocated \$502,004.60 to cover the cost of land acquisition for Kirkwood/Edgewood Parks and Open Space; and

WHEREAS, projects identified in Ordinance 03-O-0666 have been completed and have funds remaining in project accounts; and

WHEREAS, the Department of Planning and Community Development and the Department of Parks, Recreation, and Cultural Affairs, the Kirkwood Neighborhood Organization, and the Trust for Public Land have identified additional projects that will expend remaining funds; and

WHEREAS, the Properties are located within the confines of the Kirkwood/Edgewood project area; and

WHEREAS, the Trust for Public Land has agreed to help in the acquisition and preservation of the Property by working with (1) the City Department of Planning and Community Development and the Department of Parks, Recreation, and Cultural Affairs, (2) the present owner of the Property, (3) the Kirkwood Neighborhood Organization and (4) the Arthur M. Blank Family Foundation to secure a grant to fund a portion of the purchase price for the Property; and

WHEREAS, the Trust for Public Land has applied for grant funds in a total amount anticipated to be \$202,521.00 from the Arthur M. Blank Family Foundation to fund a portion of the cost to acquire the Property, and will convey the property to the City at full cost less the amount of said grant; and

WHEREAS, the total cost to the City of Atlanta will be \$135,700.00.



NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Mayor or her designee is hereby authorized to purchase from the Trust for Public Land three tracts of real property in the Kirkwood neighborhood as shown and described in the following table.

Parcel	Parcel ID No.	Acres
Parcel 1: Dearborn Street	15-0206-0004-131-9	0.32
Parcel 2: Dearborn Street	15-0206-0004-051-9	0.32
Parcel 3: Bixby Street	15-0206-0004-060 and 15-0206-0004-061	0.64
Total Acquisition		1.28

SECTION 2: That the Mayor or her designee is hereby authorized to obtain surveys, title reports, and appraisals and to establish estimate of just compensation based thereon to be offered the Trust for Public Land.

SECTION 3: That associated acquisition costs, including but not limited to surveys, environmental assessments, appraisals, title reports, and other closing costs, but excluding professional service fees, be charged to and paid from Park Impact Fee fund account and center 1C28-771001-Y63D10099991, Kirkwood/Edgewood Parks and Open Space (DeKalb County).

SECTION 4: That the requirements of City Code Section 2-1541 (d) of the Procurement and Real Estate Code are waived to allow the purchase of property on behalf of the City without further authorization of City Council.

SECTION 5: That if negotiations with the affected property owners fail, the City Attorney is authorized to use all means necessary and within her/his power, up to and including Condemnation to acquire the necessary real property interests; and, the City Attorney is authorized to engage the services of outside counsel, where necessary, to handle Condemnation proceedings and pay for such services without further authorization from City Council.

SECTION 6: That the City Attorney, or her/his designee, if necessary, is hereby authorized to institute condemnation proceedings pursuant to the appropriate method allowed by applicable law.

SECTION 7: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 17, 2004
MAY 25, 2004

03-0-0666

(Do Not Write Above This Line)

AN ORDINANCE

BY

William A. Anderson

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO PURCHASE PROPERTY FROM THE TRUST FOR PUBLIC LAND LOCATED IN THE KIRKWOOD NEIGHBORHOOD IN THE CITY OF ATLANTA ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, WHEREAS THE TOTAL COST OF ACQUISITION TO THE CITY IS \$489,337, FOR THE PURPOSES SET FORTH IN THE CITY OF ATLANTA COMMUNITY GREENSPACE PROGRAM; AUTHORIZING THE PAYMENT OF ASSOCIATED COSTS; AND FOR OTHER PURPOSES. **ADOPTED BY**

MAY 0 5 2003

COUNCIL

SUBSTITUTE

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 4/21/03

Referred To: Ad. HR.

First Reading

Committee _____
Date _____
Chair _____

Committee CR/HR
Date 4/21/03
Chair William Anderson

Adv, Held (see rev. side)
 Subst. gthrs

Members
[Signatures]

Committee _____
Date _____
Chair _____
Actions: Fav, Adv, Held (see rev. side)
Others _____
Members _____
Refer To _____

COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vo

CERTIFIED

CERTIFIED
MAY 0 5 2003

ATLANTA CITY COUNCIL PRESIDENT
Robert W. Herbert

CERTIFIED
MAY 0 5 2003

Robert W. Herbert
MAYORAL CLERK

MAYOR'S ACTION

APPROVED
[Signature]
MAY 1 3 2003

MAYOR



CITY COUNCIL
ATLANTA, GEORGIA

03-O-0666

**AN ORDINANCE BY
COUNCIL MEMBER NATALYN ARCHIBONG AS SUBSTITUTED
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO PURCHASE PROPERTY FROM THE TRUST FOR PUBLIC LAND LOCATED IN THE KIRKWOOD NEIGHBORHOOD IN THE CITY OF ATLANTA ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, WHEREAS THE TOTAL COST OF ACQUISITION TO THE CITY IS \$502,004.60, FOR THE PURPOSES SET FORTH IN THE CITY OF ATLANTA COMMUNITY GREENSPACE PROGRAM; AUTHORIZING THE PAYMENT OF ASSOCIATED COSTS; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 01-0-1697, adopted by the Council on November 19, 2001, and approved by the Mayor on November 27, 2001, allocated Georgia Greenspace (DeKalb) grant funds to cover the cost of land acquisition for Kirkwood/Edgewood Parks and Open Space; and

WHEREAS, the Properties are located within the confines of the Kirkwood/Edgewood project area; and

WHEREAS, the Trust for Public Land has agreed to help in the acquisition and preservation of the Property by working with (1) the City Department of Planning, Development, and Neighborhood Conservation and the Department of Parks, Recreation, and Cultural Affairs, (2) the present owner of the Property, (3) the Kirkwood Neighborhood Organization and (4) the Arthur M. Blank Family Foundation to secure a grant to fund a portion of the purchase price for the Property; and

WHEREAS, the Trust for Public Land has applied for grant funds in a total amount anticipated to be \$312,855.00 from the Arthur M. Blank Family Foundation to fund a portion of the cost to acquire the Property, and will convey the property to the City at full cost less the amount of said grant; and

WHEREAS, the total cost to the City of Atlanta will be \$502,004.60.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Mayor or her designee is hereby authorized to purchase from the Trust for Public Land three tracts of real property in the Kirkwood neighborhood as shown and described in the following table.

Parcel	Parcel ID No.	Acres
Parcel 1: Woodbine Ave.	15-210B03-005	0.3
Parcel 2: Dixie Street	15-206C04-7,8,11; 15-206C03-10; and 15-206C05-21-26	4.8
Parcel 3: Memorial Drive	15-207D-C02-11 and 12	2.6
Total Acquisition		7.7

SECTION 2: That the Mayor or her designee is hereby authorized to obtain surveys, title reports, and appraisals and to establish estimate of just compensation based thereon to be offered the Trust for Public Land.

SECTION 3: That accrued interest accumulating in the following accounts is hereby transferred as follows:

Transfer from:

1B02-793001-Y63U0211KTB0	\$1,299.17
1B02-771001-Y63U0211KTB0	7,639.27
1B02-729029-Y63U0211KTB0	808.52
TOTAL	<u>\$9,746.96</u>

Transfer to:

1B02-771001- Y63D1009KTB0	Kirkwood/Edgewood Parks and Open Space (DeKalb County)	\$9,746.96
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SECTION 4: That the Chief Financial Officer is hereby authorized to use accrued interest accumulating in account 1B02-661001-J53X0210KTD0 in the amount of \$429.15 and to appropriate this interest to 1B02-771001-Y63U0211KTD0, and to transfer interest in the accounts shown below in the amount of \$1,144.49, for a total of \$1,573.64:

Transfer from:

1B02-793001- Y63U0211KTD0		\$1,144.49
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Transfer to:

1B02-771001- Y63U0211KTD0	Kirkwood/Edgewood Parks and Open Space (DeKalb County)	\$1,144.49
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SECTION 5: That the following fund, account, and center numbers in the following amounts are to be used for the payment of charges, including but not limited to surveys, environmental assessments, appraisals, title reports, and other closing costs, but excluding consultant service fees, as required by the funding source.

1B02-771001- Y63D1009KTBO	Kirkwood/Edgewood Parks and Open Space (DeKalb County)	\$201,095.96
1C28-771001- Y63D10099991	Kirkwood/Edgewood Parks and Open Space (DeKalb County)	150,000.00
1B02-771001- Y63U0211KTDO	DNR Georgia Greenspace Program (DeKalb County)	150,908.64
TOTAL		<u>\$502,004.60</u>

SECTION 6: That the Chief Financial Officer is hereby authorized to transfer \$3,620 from and to the following accounts:

Transfer From:

1C28-792001- T31X04109991	Park Impact Fees Reserve Designated – D.I.F. Admin	\$3,620
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Transfer To:

1C28-724001- Y63D10099991	Consultant Services - Kirkwood	\$3,620
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SECTION 7: That the requirements of City Code Section 2-1541 (d) of the Procurement and Real Estate Code are waived to allow the purchase of property on behalf of the City without further authorization of City Council.

SECTION 8: That the deed for each tract is to be recorded containing appropriate covenants, restrictions or easements as necessary in order to satisfy the requirements of the Georgia Greenspace Program, which shall provide that the Property shall be permanently preserved as greenspace with passive recreation for the benefit of the public.

SECTION 9: That consultant services for acquisition of the properties on the City's behalf shall be charged to and paid from fund account center 1C28 724001 Y63D10099991 in an amount not to exceed \$3,620.00.

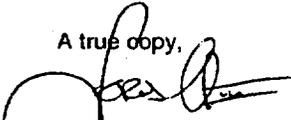
SECTION 10: That if negotiations with the affected property owners fail, the City Attorney is authorized to use all means necessary and within her/his power, up to and including Condemnation to acquire the necessary real property interests; and, the City Attorney is authorized to engage the services of outside counsel, where necessary, to handle Condemnation proceedings and pay for such services without further authorization from City Council.



SECTION 11: That the City Attorney, or her/his designee, if necessary, is hereby authorized to institute condemnation proceedings pursuant to the appropriate method allowed by applicable law.

SECTION 12: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,



Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

May 5, 2003
May 13, 2003

5/05/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda

1. 03-O-0654
2. 03-O-0657
3. 03-O-0664
4. 03-O-0673
5. 03-O-0674
6. 03-O-0675
7. 03-O-0676
8. 03-O-0548
9. 03-O-0666
10. 03-O-0652
11. 03-O-0107
12. 03-O-0495
13. 03-O-0540
14. 03-O-0567
15. 03-O-0568
16. 03-O-0573
17. 03-O-0594
18. 03-O-0661
19. 02-O-0680
20. 03-O-0435
21. 03-O-0547
22. 03-R-0596
23. 03-R-0597
24. 03-R-0599
25. 03-R-0603
26. 03-R-0604
27. 03-R-0605
28. 03-R-0607
29. 03-R-0366
30. 03-R-0618
31. 03-R-0619
32. 03-R-0620
33. 03-R-0621
34. 03-R-0622
35. 03-R-0623

**Items Adversed on the
Consent Agenda**

58. 03-R-0641
59. 03-R-0642
60. 03-R-0643
61. 03-R-0644
62. 03-R-0646

Consent I Vote: 12Yeas; 0 Nays: (See RCS #4709) (1st Consent Vote: 13Yeas; 0 Nays
(See RCS #4667); Reconsidered:12 Yeas; 1 Nay (See RCS #4708))

Items Removed from the Consent Agenda: 03-R-0616; 03-O-0672; 03-R-0629; 03-O-0449

04-0-0657

(Do Not Write Above This Line)

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO PURCHASE PROPERTY FROM THE TRUST FOR PUBLIC LAND LOCATED IN THE KIRKWOOD NEIGHBORHOOD IN THE CITY OF ATLANTA ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, WHEREAS THE TOTAL COST OF ACQUISITION TO THE CITY IS \$135,700.00, FOR THE PURPOSES SET FORTH IN THE CITY OF ATLANTA COMMUNITY GREENSPACE PROGRAM; AUTHORIZING THE PAYMENT OF ASSOCIATED COSTS; TO BE CHARGED TO AND PAID FROM 1C28 771001 Y63010099991 (KIRKWOOD PARKS AND OPEN SPACE-DEKALB COUNTY)

MAY 17 2004

ADOPTED BY

- CONSENT REFER 5/3/04 COUNCIL
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 5/3/2004

Approved by Department of Human Resources Referred to:

First Reading

Committee Date Chair

Committee

Date

Chair

Action: Fav, Adv, Held (see rev. side)

Others

Members

John McStump
John McStump

Refer To

Committee

Date

Chair

Action: Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Action: Fav, Adv, Held (see rev. side)

Others

Members

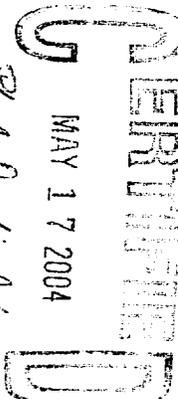
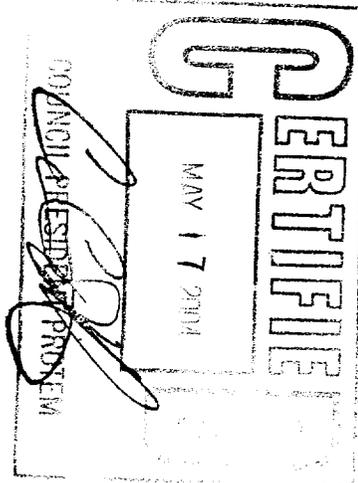
Refer To

COUNCIL ACTION

- 2nd
 - 1st & 2nd
 - 3rd
- Readings

- Consent
- V Vote
- RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED
Paula
MAY 25 2004

MAYOR

RCS# 5712
5/17/04
2:10 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-13 EXCEPT:04-R-0876
04-R-0911 04-R-0835 04-R-0882
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Norwood
Y Starnes	Y Archibong	Y Muller	B Maddox	Y Willis
Y Young	Y Fauver	Y Moore	Y Mitchell	

CONSENT I

3-01-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
<ol style="list-style-type: none"> 1. 04-O-0858 2. 04-O-0869 3. 04-O-0372 4. 04-O-0373 5. 04-O-0641 6. 04-O-0642 7. 04-O-0646 8. 04-O-0648 9. 04-O-0650 10. 04-O-0652 11. 04-O-0653 12. 04-O-0656 13. 04-O-0657 14. 04-O-0874 15. 04-O-0488 16. 04-O-0700 17. 04-O-0872 18. 04-O-0660 19. 04-O-0661 20. 04-O-0873 21. 03-R-2228 22. 04-R-0805 23. 04-R-0806 24. 04-R-0808 25. 04-R-0809 26. 04-R-0822 27. 04-R-0859 28. 04-R-0882 29. 04-R-0889 30. 04-R-0369 31. 04-R-0870 32. 04-R-0876 33. 04-R-0815 34. 04-R-0847 35. 04-R-0862 36. 04-R-0863 37. 04-R-0821 38. 04-R-0807 39. 04-R-0811 40. 04-R-0812 	<ol style="list-style-type: none"> 41. 04-R-0813 42. 04-R-0865 43. 04-R-0824 44. 04-R-0825 45. 04-R-0826 46. 04-R-0827 47. 04-R-0828 <p>ITEMS ADVERSED ON CONSENT</p> <ol style="list-style-type: none"> 48. 04-R-0829 49. 04-R-0830 50. 04-R-0831 51. 04-R-0832 52. 04-R-0833 53. 04-R-0834 54. 04-R-0836 55. 04-R-0837 56. 04-R-0838 57. 04-R-0839 58. 04-R-0840 59. 04-R-0841 60. 04-R-0842 61. 04-R-0843 62. 04-R-0844 63. 04-R-0845 64. 04-R-0846

04-0-0657

(Do Not Write Above This Line)

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO PURCHASE PROPERTY FROM THE TRUST FOR PUBLIC LAND LOCATED IN THE KIRKWOOD NEIGHBORHOOD IN THE CITY OF ATLANTA ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, WHEREAS THE TOTAL COST OF ACQUISITION TO THE CITY IS \$135,700.00, FOR THE PURPOSES SET FORTH IN THE CITY OF ATLANTA COMMUNITY GREENSPACE PROGRAM; AUTHORIZING THE PAYMENT OF ASSOCIATED COSTS; TO BE CHARGED TO AND PAID FROM IC28 771001 Y63010099991 (KIRKWOOD PARKS AND OPEN SPACE-DEKALB COUNTY)

ADOPTED BY

MAY 17 2004

- CONSENT REFER 5/3/04 COUNCIL
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER

Date Referred 5/3/2004
Community Development/Human Resources
Referred To:

First Reading

Committee Date Chair

Committee Date Chair Actions Fav, Adv, Held (see rev. side) Other Members Refer To

Committee Date Chair Actions Fav, Adv, Held (see rev. side) Other Members Refer To

COUNCIL ACTION

- 2nd 1st & 2nd 3rd Readings
Consent V Vote RC Vote

CERTIFIED

CERTIFIED MAY 17 [Signature]

CERTIFIED MAY 17 2004 [Signature] MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED [Signature] MAY 25 2004 MAYOR